

CLOSED,INTERPRETER

**U.S. District Court**  
**Southern District of Florida (Ft Lauderdale)**  
**CRIMINAL DOCKET FOR CASE #: 0:25-mj-06133-AOV-1**

Case title: USA v. Richard Vairo

Date Filed: 02/26/2025

Date Terminated: 03/04/2025

Assigned to: Magistrate Judge  
Alicia O. Valle

**Defendant (1)**

**Richard Vairo**

62881-511

*YOB: 1974; Portuguese*

*TERMINATED: 03/04/2025*

represented by **Noticing FPD-FTL**

(954) 356-7436

Email: [ftl\\_ecf@fd.org](mailto:ftl_ecf@fd.org)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Public Defender Appointment*

**Jude M. Faccidomo**

Ratzan and Faccidomo, LLC

2850 Tigertail Avenue

Suite 400

Miami, FL 33133

305-374-5730

Fax: 786-673-3729

Email: [jude@rflawgroup.com](mailto:jude@rflawgroup.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None



**Complaints****Disposition**

18:U.S.C. § 1343 WIRE FRAUD

**Plaintiff**

USA

represented by **Corey O'Neal**  
 United States Attorney's Office  
 Miami, FL 33131  
 Email: [Corey.O'Neal@usdoj.gov](mailto:Corey.O'Neal@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*


Date Filed	#	Docket Text
03/04/2025	<u>19</u>	COMMITMENT TO ANOTHER DISTRICT as to Richard Vairo. Defendant committed to the District of Nevada. Closing Case for Defendant. Signed by Magistrate Judge Alicia O. Valle on 2/28/2025. <i>See attached document for full details.</i> (ar2) (Entered: 03/04/2025)
03/03/2025	<u>18</u>	ORDER GRANTING 11 the Government's Oral Motion for Pretrial Detention as to Defendant Richard Vairo. Signed by Magistrate Judge Alicia O. Valle on 3/3/2025. <i>See attached document for full details.</i> (lbe) (Entered: 03/03/2025)
03/03/2025	<u>17</u>	CERTIFICATE of Compliance Re Admitted Evidence for exhibit(s): 1–2 as to Richard Vairo by Corey O'Neal (Attachments: # <u>1</u> Exhibit One, # <u>2</u> Exhibit Two) (O'Neal, Corey) (Entered: 03/03/2025)
02/28/2025	16	CLERK'S Notice of Policy re Electronic Submission of Exhibit(s) sent to USA Re D.E. 15 Clerk's Exhibit/Notices Exhibit Numbers: Government Paper Exhibits  Local Rule 5.3 provides that within ten (10) days of the conclusion of a hearing or trial, a party must file in CM/ECF an electronic version of most exhibits offered or introduced into evidence. Before electronically filing, the filer must redact any sensitive, confidential, or private information in accordance with Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, and CM/ECF Administrative Procedures, Section 6, or seek an order from the Court either to seal the exhibit or to exempt the exhibit from electronic filing under subsection (b)(3)(C) of the rule. Failure to electronically file exhibits and the Certificate of Compliance Re Admitted Evidence within ten (10) days may result in the imposition of sanctions. The Local Rule, the Certificate of Compliance Re Admitted Evidence, and the Quick Reference Guide to Electronically Filing Trial Exhibits can be found on the Courts website: <a href="http://www.flstd.uscourts.gov">http://www.flstd.uscourts.gov</a> as to Richard Vairo. (drz) (Entered: 02/28/2025)
02/28/2025	15	CLERK'S Notice of Receipt of Exhibit(s) received from USA Re D.E. <u>10</u> Detention Hearing, Status Conference, Exhibit Numbers: Government Paper Exhibits as to Richard Vairo. (drz) (Entered: 02/28/2025)
02/28/2025	<u>14</u>	WAIVER OF RULE 5 & 5.1 REMOVAL/IDENTITY HEARINGS by Richard Vairo (at) (Entered: 02/28/2025)
02/28/2025	13	PAPERLESS ORDER DENYING 12 Motion for Bond. as to Richard Vairo (1). (Signed by Magistrate Judge Alicia O. Valle on 2/28/2025). (at) (Entered: 02/28/2025)



02/28/2025	12	<b>ORAL MOTION</b> for Bond by Richard Vairo. (at) (Entered: 02/28/2025)
02/28/2025	11	<b>ORAL MOTION</b> for PRETRIAL DETENTION by USA as to Richard Vairo. (at) (Entered: 02/28/2025)
02/28/2025	<u>10</u>	Minute Order for proceedings held before Magistrate Judge Alicia O. Valle: Detention Hearing as to Richard Vairo held on 2/28/2025. Witness Julinpa Kazazi testified., Status Re Removal as to Richard Vairo held on 2/28/2025. Parties presented oral arguments. Gov't oral motion for PTD Granted. Order to follow. Defendant agrees to waive removal/identity hearing. Waiver of Removal and Commitment order signed. Defendant shall be removed to the District of Nevada. Portuguese Interpreter present. (Digital 11:41:15/12:52:20) (Signed by Magistrate Judge Alicia O. Valle on 2/28/2025). (at) (Entered: 02/28/2025)
02/27/2025	<u>9</u>	NOTICE OF TEMPORARY ATTORNEY APPEARANCE: Jude M. Faccidomo appearing for Richard Vairo (Faccidomo, Jude) (Entered: 02/27/2025)
02/26/2025	8	PAPERLESS ORDER granting 7 Motion to Continue Pretrial Detention/Removal Hearings as to Richard Vairo (1). Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. (smy) (Entered: 02/26/2025)
02/26/2025	7	<b>ORAL MOTION</b> to Continue Pretrial Detention/Removal Hearings by Richard Vairo. (smy) (Entered: 02/26/2025)
02/26/2025	6	PAPERLESS ORDER granting 5 Motion to Appoint Counsel as to Richard Vairo (1). Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. (smy) (Entered: 02/26/2025)
02/26/2025	5	<b>ORAL MOTION</b> to Appoint Counsel by Richard Vairo. (smy) (Entered: 02/26/2025)
02/26/2025	<u>4</u>	Minute Order for proceedings held before Magistrate Judge Alicia O. Valle: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Richard Vairo held on 2/26/2025.. Detention Hearing set for 2/28/2025 10:30 AM in Fort Lauderdale Division before FTL Duty Magistrate Judge. Removal Hearing set for 2/28/2025 10:30 AM in Fort Lauderdale Division before FTL Duty Magistrate Judge. Spanish Interpreter present. Attorney added: Noticing FPD–FTL for Richard Vairo (Digital 11:46:15/12:04:45) Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. (smy) (Entered: 02/26/2025)
02/26/2025	<u>3</u>	ORDER granting 2 Motion to Unseal Case as to Richard Vairo (1). Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. <i>See attached document for full details.</i> (smy) (Entered: 02/26/2025)
02/26/2025	2	<b>ORAL MOTION</b> to Unseal Case by USA as to Richard Vairo. (smy) (Entered: 02/26/2025)
02/26/2025		Set Hearing as to Richard Vairo: Initial Appearance – Rule 5(c)(3)/40 set for 2/26/2025 11:00 AM in Fort Lauderdale Division before FTL Duty Magistrate Judge. (at) (Entered: 02/26/2025)
02/26/2025	<u>1</u>	Magistrate Judge Removal of Criminal Complaint And Arrest Warrant from DISTRICT OF NEVADA (LAS VEGAS) Case number in the other District 2:25–CR–0027–JCM–EJY as to Richard Vairo (1). (at) (Entered: 02/26/2025)
02/25/2025		Arrest of Richard Vairo (at) (Entered: 02/26/2025)



AO 94 (Rev. 8/97) Commitment to Another District

<b>UNITED STATES DISTRICT COURT</b>			
SOUTHERN		District of	
FLORIDA		FLORIDA	
UNITED STATES OF AMERICA vs. RICHARD VAIRO		<b>COMMITMENT TO ANOTHER DISTRICT</b>	
DOCKET NUMBER		MAGISTRATE JUDGE CASE NUMBER	
District of Arrest DISTRICT OF NEVADA	District of Offense 25-CR-0027-JCM	District of Arrest SOUTHERN DISTRICT OF FLORIDA	District of Offense 25-MJ-6133-AOV
<b>CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN</b> <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint <input type="checkbox"/> PETITION charging a violation of 18 U.S.C. § 1343			
<b>DISTRICT OF OFFENSE:</b> DISTRICT OF NEVADA			
<b>WIRE FRAUD</b>			
<b>CURRENT BOND STATUS:</b> <input type="checkbox"/> Bail fixed at _____ and conditions were not met <input checked="" type="checkbox"/> Government moved for detention and defendant detained after hearing in District of Arrest <input type="checkbox"/> Government moved for detention and defendant detained pending detention hearing in District of Offense Other (specify) _____			
<b>Representation:</b> <input checked="" type="checkbox"/> Retained Own Counsel <input type="checkbox"/> Federal Defender Organization <input type="checkbox"/> CJA Attorney <input type="checkbox"/> None			
<b>Interpreter Required?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes    Language: PORTUGUESE			
<div style="text-align: right; font-weight: bold;">SOUTHERN DISTRICT OF FLORIDA</div> <p>TO: THE UNITED STATES MARSHAL</p> <p>You are hereby commanded to take custody of the above-named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p><u>2/28/25</u></p> <p>Date</p> </div> <div style="text-align: center;"> <p></p> <p>United States Judge or Magistrate Judge</p> </div> </div>			
<b>RETURN</b>			
<b>This commitment was received and executed as follows:</b>			
DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED	
DATE	UNITED STATES MARSHAL	(BY) DEPUTY MARSHAL	



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-MJ-6133-AOV

UNITED STATES OF AMERICA,

v.

RICHARD VAIRO,

Defendant.

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**DETENTION ORDER**

On February 28, 2025, this Court held a hearing pursuant to 18 U.S.C. § 3142(f) to determine whether Defendant Richard Vairo (“Defendant”) should be detained prior to trial.<sup>1</sup> The Government sought to detain Defendant on the grounds that he presents a serious risk of flight and a serious risk of obstructing justice. *See* 18 U.S.C. § 3142(f)(2)(A)-(B). Having considered the factors enumerated in 18 U.S.C. § 3142(g), the Government’s proffer, the testimony of the law enforcement agent, the facts contained in the Pretrial Services Report (“PSR”), and the arguments of counsel, the Court finds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure Defendant’s appearance in this case if Defendant is released prior to trial. Therefore, this Court orders that Defendant be detained prior to trial and until the conclusion thereof.

In accordance with 18 U.S.C. § 3142(i)(1), this Court makes the following findings of fact and statement of reasons for the detention:

1. Defendant is charged by Indictment in the District of Nevada with ten counts of wire fraud, in violation of 18 U.S.C. § 1343. If convicted, Defendant faces a possible maximum

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<sup>1</sup> The audio recording of these proceedings is incorporated by reference.



statutory sentence of 20 years' imprisonment on each count. Defendant's advisory Sentencing Guideline range is between 63 to 78 months in prison, which may be reduced to between 51 to 63 months in prison if a zero-point offender adjustment applies.

2. The weight of the Government's evidence against Defendant is substantial. At the hearing, the Government proffered evidence and a law enforcement agent testified that:

- a. From September 2021 through October 2022, Defendant engaged in a fraudulent scheme in which he sought to defraud E.S. (the "Victim") and the Victim's company. In the scheme, Defendant represented to the Victim that Defendant needed a loan so that his company, Richard's Brazilian Sausage ("RBS"), could increase its sales to Publix Supermarkets ("Publix"). Defendant falsely represented that he was already selling sausages to Publix. In exchange for the loan, Defendant offered to pay the Victim a share of gross profits on the products sold to Publix.
- b. Thereafter, Defendant and the Victim executed an agreement (the "Agreement") for the Victim to loan RBS money on a weekly basis. In turn, Defendant agreed to repay the Victim a portion of RBS's profits. The Agreement falsely stated that Defendant was providing sausages to Publix. Each week, J.F., Defendant's associate, sent J.P., the Victim's associate, a spreadsheet reflecting the quantity Defendant purportedly supplied to Publix, how much money Defendant needed, and how much the Victim could expect to make from the week's profits. As detailed in the Indictment, Defendant and his associate (J.F.) sent text and WhatsApp messages to the Victim to persuade him to send the money to Defendant.



- c. After the Victim sent the first two loan disbursements to Defendant, Defendant transferred a large portion of the loan proceeds to his personal account. Indeed, Defendant did not use the loan proceeds to increase his distribution to Publix, as Defendant never had a distribution agreement with Publix.
- d. Defendant made a timely repayment on the first loan installment (using the Victim's own money), but did not make other payments, offering various false excuses as to why repayment was delayed.
- e. The Victim received fabricated invoices as evidence that the sausages were purportedly delivered to Publix. Although the invoices bore signatures and a stamp marked "Received," Publix confirmed that no such deliveries had been received.
- f. Between October 2021 and July 2022, the Victim made 29 loan disbursements to Defendant, totaling approximately \$10,747,578.26. Defendant made 17 repayments to the Victim, totaling approximately \$6,859,957.39. In the end, the Victim lost about \$3,887,620.87 to Defendant, which amount remains unaccounted.

3. Defendant's history and personal characteristics also support pretrial detention.

The Court incorporates and makes part of this Order the facts contained in the PSR. Defendant is a citizen of Brazil and has significant ties to Brazil, including family in Brazil and a Brazilian law degree. Moreover, Defendant has a judgment against him in Broward County Case No. CACE24013529 for more than \$3,000,000. According to the complaint in that case, from December 2023 through September 2024, Defendant engaged in fraud very similar to that alleged in the instant Indictment. Given Defendant's earlier fraud and the fact that at least \$4,000,000 remains unaccounted for in the Federal case, Defendant has ready access to cash, with which to



finance his flight to avoid prosecution. Additionally, the Government presented evidence that Defendant has several luxury assets, including a Ferrari, Rolls Royce, and Tesla Cybertruck, all of which Defendant had owned but transferred ownership to an immediate family member on February 14, 2025, in an apparent attempt to obstruct the collection of the judgment in the State case. Defendant also has a Hyundai Sante Fe and Cadillac Escalade still registered to him, which he did not disclose to the Court.<sup>2</sup> Furthermore, Defendant owns two boats. Lastly, Defendant faces a lengthy potential sentence (up to twenty years' imprisonment on each of ten counts). In sum, Defendant's age, lengthy estimated sentence, ties to Brazil, and access to assets/large amounts of cash provide Defendant a strong incentive to flee.

4. Based on the above findings of fact, the nature of the charged offenses, and the overall weight of the evidence, the Court finds by a preponderance of the evidence that Defendant poses a serious risk of flight if released prior to trial.

5. Accordingly, the Court hereby directs that:

- a. Defendant be detained without bond;
- b. Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;

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<sup>2</sup> In addition, Defendant reported to Pretrial Services and the Court that he: (i) owned only one vehicle (a Tesla valued at \$30,000); (ii) earned approximately \$5,000 per month with \$3,000 in expenses; and (iii) was not on the title of the residence located at 6101 SW 180<sup>th</sup> Terrace, Southwest Ranches, Florida. During the hearing, however, the Court learned that Defendant had numerous vehicles titled in his and his children's names and is, in fact, listed on the title of the residence.



- c. Defendant be afforded reasonable opportunity for private consultation with his counsel;
- d. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which Defendant is confined, deliver Defendant to a United States Marshal for the purpose of appearance in connection with court proceedings.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Florida, on March 3, 2025.

  
ALICIA O. VALLE  
UNITED STATES MAGISTRATE JUDGE

cc: Pretrial Services  
U.S. Marshals Service,  
All counsel of record



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-mj-06133-AOV

UNITED STATES OF AMERICA

vs.

RICHARD VAIRO,

Defendant.

**CERTIFICATE OF COMPLIANCE RE: ADMITTED EVIDENCE**

I, Corey O'Neal, as counsel for the government, hereby certify the following:

☒ ALL EXHIBITS E-FILED: All documentary exhibits and photographs of non-documentary physical exhibits offered or introduced into evidence have been electronically filed in CM/ECF.

☐ EXHIBITS NOT E-FILED: The following is an itemized list of exhibits that are exempt from mandatory electronic filing pursuant to Local Rule 5.3(b)(3):

Any original exhibits that have been returned to or retained by the filing party after electronic filing shall be kept for safe keeping until the conclusion of any appeals. Upon order of court, the filing party agrees to return the original exhibits to the Clerk of Court.

This Certificate shall be filed within ten (10) days of the conclusion of a hearing or trial. Failure to timely comply with the requirements of Local Rule 5.3(b) may result in the imposition of sanctions.

Signature: s/ Corey O'Neal Date: March 3, 2023



Case Number: CACE-24-013529 Division: 09  
Filing # 207330809 E-Filed 09/20/2024 10:09:46 AM

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

ZQ INVESTMENTS, LLC, a Florida limited  
liability company,

Plaintiff,

Case No. CACE-24-\_\_\_\_\_

Division: \_\_\_\_\_

v.

RICHARD VAIRO SANTOS, individually;  
EWERTON CONSULTING AND  
INVESTMENTS, LLC, a Florida limited liability  
company; RICHARD'S BRAZILIAN SAUSAGE,  
LLC, a Florida limited liability company; and  
EWERTON VAIRO CONSULTING AND  
INVESTMENTS, LLC, a Florida limited liability  
company,

Defendants.

**COMPLAINT**

COMES NOW, Plaintiff, **ZQ INVESTMENTS, LLC**, by and through the undersigned  
counsel, and hereby files this Complaint for damages and other relief against Defendants,  
**RICHARD VAIRO SANTOS, EWERTON CONSULTING AND INVESTMENTS, LLC,**  
**RICHARD'S BRAZILIAN SAUSAGE, LLC,** and **EWERTON VAIRO CONSULTING**  
**AND INVESTMENTS, LLC**, and in support thereof states the following:

**I. JURISDCITION AND VENUE**

1. The Court has jurisdiction as this is a civil action in which the damages exceed \$50,000.00  
exclusive of interest and attorney's fees.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

2. All of the relevant facts to this case occurred in Broward County, Florida, including the accrual of the debt that is subject to this case and the representations that form the basis of the Complaint.
3. Plaintiff, **ZQ INVESTMENTS, LLC** (hereinafter “Plaintiff”) is a Florida limited liability company with its principal address for conducting business located in Miami-Dade County, Florida.
4. Defendant, **RICHARD VAIRO SANTOS** is over the age of 18 and otherwise *sui juris*, and is a resident of Broward County, Florida.
5. Defendant, **EWERTON CONSULTING AND INVESTMENTS, LLC** is a Florida limited liability company with its principal address for conducting business located in Broward County, Florida.
6. Defendant, **RICHARD’S BRAZILIAN SAUSAGE, LLC** is a Florida limited liability company with its principal address for conducting business located in Broward County, Florida.
7. Defendant, **EWERTON VAIRO CONSULTING AND INVESTMENTS LLC** is a Florida limited liability company with its principal address for conducting business located in Broward County, Florida.
8. The transactions which form the basis of this Complaint occurred in Broward County, Florida.
9. The fraudulent actions and representations that form the basis of this action occurred and were made in Broward County, Florida.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

10. Furthermore, all of the facts relevant to this case and the various causes of action occurred and accrued in Broward County.

11. Therefore, this Court has jurisdiction and Venue for this case is properly laid in the County Court of the Seventeenth Judicial Circuit, in and for Broward County, Florida.

## **II. STATEMENT OF FACTS AND GENERAL ALLEGATIONS**

12. On or about December 22, 2023, Defendant, RICHARD VAIRO SANTOS approached the Plaintiff in order to seek funding for the purchase of chicken paws in order to resell the same and fulfill a contract to a company called BA HONG LUNG LIMITED.

13. After some negotiations, Plaintiff lent SANTOS \$400,000.00 for this purpose.

14. SANTOS claimed that he had contracts with PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC in order to induce the Plaintiff to enter into and make contributions to a “joint venture” that they would form.

15. As a result of those representations, on February 12, 2024, the Plaintiff and Defendant, EWERTON CONSULTING AND INVESTMENTS, LLC, started a joint venture company called RICA FOODS, LLC.

16. Plaintiff made contributions to the joint venture totaling \$2,919,975.00 (TWO MILLION NINE-HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS) in eight different disbursements.

17. However, SANTOS claimed that the joint venture company, RICA FOODS, LLC, could not make the sales because its registration with the United States Food and Drug Administration had not yet been approved.



ZQ Investments, LLC  
v. Richard Vairo Santos, et al.

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

18. Consequently, the sales to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL would be realized through SANTOS' company, Defendant, RICHARD'S BRAZILIAN SAUSAGE, LLC.
19. After several requests to formalize the agreement between the Parties, Defendants, SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC executed the *Amended and Restated Agreement between ZQ INVESTMENTS, LLC and RICHARD'S BRAZILIAN SAUSAGE, LLC* (the "Agreement") on June 22, 2024, a true and correct copy of which is attached hereto as **Exhibit "A."**
20. The terms of the Agreement required SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC within three business days to either: (1) execute a joint venture agreement formalizing the terms thereof and provide ZQ INVESTMENTS, LLC with the financial records, including bank statements evidencing the utilization of the funds to date; or (2) in the alternative, repay the funds totaling \$2,919,975.00 to Plaintiff with 10% interest per year running from the date of each disbursal.
21. Having failed to execute a joint venture agreement or provide the requested financial statements, Plaintiff requested payment in full of the debt as per the Agreement.
22. Thereafter, on July 17, 2024, SANTOS fraudulently misrepresented by email that the Plaintiff would realize a net profit of \$295,801.34 for a total return of \$3,215,776.34 as a result of the sales to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

23. These email exchanges from SANTOS were made specifically to impede and induce the Plaintiff into not enforcing the Agreement by making a promise of greater profits from the sales to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL if Plaintiff remained in the joint venture.
24. To substantiate these claims, SANTOS provided Plaintiff with spreadsheets of the purchases and sales made by RICHARD'S BRAZILIAN SAUSAGE, LLC in furtherance of this joint venture. True and correct copies of the spreadsheets with details of orders and sales allegedly realized are attached hereto as **Composite Exhibit "B."**
25. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with BA HONG LUNG and that the sales detailed in the spreadsheet were a complete fabrication.
26. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with NINGBO PANTRADERS INTERNATIONAL and that the sales detailed in the spreadsheet were a complete fabrication.
27. SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC breached the Agreement by failing to execute the joint venture agreement negotiated by the parties and failing to make payments as set forth in the Agreement.
28. Furthermore, SANTOS maintained the representation that sales were being made to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL in order to defraud the Plaintiff.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

29. SANTOS and EWERTON CONSULTING AND INVESTMENTS, LLC breached their fiduciary duties to Plaintiff by making false representations of fact as to the sales made by RICHARD'S BRAZILIAN SAUSAGE on behalf of the RICA FOODS LLC joint venture.
30. A fraudulent transfer was made by SANTOS of funds transferred by Plaintiff for the business of the joint venture to EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC in April 2024.
31. EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC is the alter ego of SANTOS and is a company without any legitimate business purpose.
32. SANTOS uses EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC in as a holding company for his assets so that he can defraud creditors.
33. The misappropriated joint venture funds were used to satisfy a mortgage on a property held by EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC located at 1201 S. Ocean Drive, Unit 408S, Hollywood, FL 33019. The satisfaction of mortgage was recorded in the Official Records of Broward County, Florida on April 22, 2024.
34. As a direct and proximate result of the actions of the Defendants, Plaintiff has had to retain the undersigned attorney and pay reasonable attorney's fees and court costs in order to file and maintain this lawsuit.
35. Plaintiff has complied with all conditions precedent to filing suit or, in the alternative, these conditions have been waived.

### **III. CLAIMS FOR RELIEF**

#### **Count I – Breach of Contract as to Richard's Brazilian Sausage, LLC**



ZQ Investments, LLC  
v. Richard Vairo Santos, et al.

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

36. Plaintiff re-alleges and incorporates Paragraphs 1 through 34, above, into this Count as if fully set forth herein.
37. On June 22, 2024, Defendants, SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC executed the *Amended and Restated Agreement between ZQ INVESTMENTS, LLC and RICHARD'S BRAZILIAN SAUSAGE, LLC* (the "Agreement"), a true and correct copy of which is attached hereto as **Exhibit "A."**
38. The terms of the Agreement required SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC within three business days to either: (1) execute a joint venture agreement formalizing the terms and provide ZQ INVESTMENTS, LLC with the financial records, including bank statements evidencing the utilization of the funds to date; or (2) in the alternative, repay the funds totaling \$2,919,975.00 to Plaintiff with 10% interest per year running from the date of each disbursal.
39. SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC failed to execute a joint venture agreement.
40. SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC failed to provide ZQ INVESTMENTS, LLC with the financial records, including bank statements evidencing the utilization of the funds.
41. Consequently, RICHARD'S BRAZILIAN SAUSAGE, LLC is responsible for the repayment of the funds totaling \$2,919,975.00 plus 10% interest per year running from the date of each disbursal.



ZQ Investments, LLC  
v. Richard Vairo Santos, et al.

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

42. RICHARD’S BRAZILIAN SAUSAGE, LLC breached the Agreement by failing to repay this debt.

43. As a result of RICHARD’S BRAZILIAN SAUSAGE, LLC breach of contract, Plaintiff has suffered damages and is entitled to judgment for the amounts due and owing, interest, attorney’s fees, and costs.

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, respectfully requests that this Court enter an Order against RICHARD’S BRAZILIAN SAUSAGE, LLC granting it relief for the principal balance due under the Agreement, interest, attorney’s fees and costs expended in this matter, and any such further relief as the Court may deem appropriate or necessary under the circumstances.

**Count II – Breach of Personal Guarantee  
as to Richard Vairo Santos**

44. Plaintiff re-alleges and incorporates Paragraphs 1 through 34, above, into this Count as if fully set forth herein.

45. On June 22, 2024, Defendants, SANTOS and RICHARD’S BRAZILIAN SAUSAGE, LLC executed the *Amended and Restated Agreement between ZQ INVESTMENTS, LLC and RICHARD’S BRAZILIAN SAUSAGE, LLC* (the “Agreement”), a true and correct copy of which is attached hereto as **Exhibit “A.”**

46. The terms of the Agreement required SANTOS and RICHARD’S BRAZILIAN SAUSAGE, LLC within three business days to either: (1) execute a joint venture agreement formalizing the terms and provide ZQ INVESTMENTS, LLC with the financial records, including bank statements evidencing the utilization of the funds to date; or (2) in the



ZQ Investments, LLC  
v. Richard Vairo Santos, et al.

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

alternative, repay the funds totaling \$2,919,975.00 to Plaintiff with 10% interest per year running from the date of each disbursal.

47. SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC failed to execute a joint venture agreement.

48. SANTOS and RICHARD'S BRAZILIAN SAUSAGE, LLC failed to provide ZQ INVESTMENTS, LLC with the financial records, including bank statements evidencing the utilization of the funds.

49. Paragraph 1.3 of the Agreement provides that "In the event that the Parties do not execute a Joint Venture Agreement as stated herein, RICHARD VAIRO SANTOS will personally, absolutely, and unconditionally guarantees repayment of this debt."

50. As the Parties failed to execute a Joint Venture Agreement, SANTOS is jointly and severally responsible for the repayment of the debt as guarantor.

51. SANTOS breached the personal guarantee by failing to repay the debt resulting in damages to the Plaintiff.

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, respectfully requests that this Court enter an Order against RICHARD VAIRO SANTOS granting it relief for the principal balance due under the Agreement, interest, attorney's fees and costs expended in this matter, and any such further relief as the Court may deem appropriate or necessary under the circumstances.

**Count III – Fraudulent Transfer of Assets Under Fla. Stat. § 726.105  
as to Richard Vairo Santos, Richard's Brazilian Sausage, LLC, and Ewerton Vairo  
Consulting and Investments, LLC**



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_ ( )  
Complaint

52. Plaintiff re-avers the allegations made in Paragraphs 1 through 34 and incorporates the same herein by reference.
53. Plaintiff transferred \$2,919,975.00 to the account of Richard's Brazilian Sausage, LLC for the purposes of funding a joint venture.
54. At the behest of SANTOS, the funds were not sent to the account of the joint venture company, RICA FOODS, LLC because, according to SANTOS, RICA FOODS had not obtained FDA registration.
55. On or about March 29, 2024, Defendant, RICHARD VAIRO SANTOS, violated the Uniform Fraudulent Transfer Act by utilizing the funds intended to capitalize the activities of the joint venture to satisfy a mortgage on a property owned by EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC with the actual intent to hinder, delay, or defraud Plaintiff.
56. Additionally, RICHARD'S BRAZILIAN SAUSAGES, LLC did not receive the reasonably equivalent value in exchange for the transfer to EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC, which was effectuated by SANTOS, an insider.
57. As a direct result of the actions of SANTOS, RICHARD'S BRAZILIAN SAUSAGES, LLC is insolvent because it was not paying its debts as they became due.
58. Whereas the fraudulent transfer directly benefitted SANTOS who orchestrated this scheme.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
 Complaint

59. Therefore, the transfer was fraudulent as defined by Fla. Stat. § 725.105 and Plaintiff is entitled to the appropriate relief.

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, demands judgment against Defendants, EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC, RICHARD'S BRAZILIAN SAUSAGES, LLC, and RICHARD VAIRO SANTOS granting the following relief: (i) setting aside the fraudulent transfer; (ii) issuing an injunction prohibiting SANTOS from further transferring assets; (iii) imposing a constructive trust on EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC's assets and/or related proceeds; (iv) attaching the assets of SANTOS and EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC; (v) appointing a receiver to take charge of SANTOS' and EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC's related proceeds; and (vi) reasonable attorney's fees, costs, and such other and further relief as the Court may deem appropriate and just under the circumstances.

**Count IV – Breach of Fiduciary Duties  
 as to Richard Vairo Santos and Ewerton Consulting and Investments, LLC**

60. Plaintiff re-avers the allegations made in Paragraphs 1 through 34 and incorporates the same herein by reference.

61. In December 2023, SANTOS told the Plaintiff that he had contracts with PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC and that this joint venture would sell animal proteins such as chicken paws, picanha, pork belly, and filet mignon to these customers.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

62. On February 12, 2024, the Plaintiff and Defendant, EWERTON CONSULTING AND INVESTMENTS, LLC, started a joint venture company called RICA FOODS, LLC.
63. Plaintiff in fact made contributions to the joint venture totaling \$2,919,975.00 (TWO MILLION NINE-HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS) in eight different disbursements relying on the representations made by its fiduciaries in this joint venture.
64. However, SANTOS claimed that the joint venture company, RICA FOODS, LLC, could make the sales because its registration with the United States Food and Drug Administration had not yet been approved.
65. Consequently, the sales to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL would be realized through SANTOS' company, Defendant, RICHARD'S BRAZILIAN SAUSAGE, LLC.
66. As joint venturers, SANTOS and EWERTON CONSULTING AND INVESTMENTS, LLC owed a duty of loyalty, care, duty of good faith, and as the venturers in charge of the operation, the duty to disclose.
67. SANTOS nor EWERTON CONSULTING AND INVESTMENTS, LLC breached their fiduciary duties to Plaintiff by misrepresenting how the funds were utilized in furtherance of the joint venture.
68. Neither SANTOS nor EWERTON CONSULTING AND INVESTMENTS, LLC ever disclosed to the Plaintiff how the financial statements or bank account statements



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

evidencing the transactions and financial condition of the joint venture despite numerous requests.

69. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with BA HONG LUNG and that the sales detailed in the spreadsheet were a complete fabrication.

70. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with NINGBO PANTRADERS INTERNATIONAL and that the sales detailed in the spreadsheet were a complete fabrication.

71. SANTOS and EWERTON CONSULTING AND INVESTMENTS, LLC breached their fiduciary duties to the Plaintiff by failing to make the appropriate disclosures and providing documents related to the joint venture.

72. SANTOS nor EWERTON CONSULTING AND INVESTMENTS, LLC further breached their fiduciary duties to Plaintiff when they misrepresented to Plaintiff that the sales detailed in **Composite Exhibit "B"** were made to BA HONG LUNG LIMITED and NINGBO PANTRADERS INTERNATIONAL INC.

73. Additionally, SANTOS misappropriated funds and used them for purposes unrelated to the joint venture.

74. Plaintiff has been damaged as a direct and proximate result of SANTOS' and EWERTON CONSULTING AND INVESTMENTS, LLC's breach of fiduciary duties.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
 Complaint

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, respectfully requests that this Court enter an Order against RICHARD VAIRO SANTOS and EWERTON CONSULTING AND INVESTMENTS, LLC granting it relief for the breach of their fiduciary duties to Plaintiff, attorney's fees and costs expended in this matter, and any such further relief as the Court may deem appropriate or necessary under the circumstances.

**Count V – Fraudulent Inducement  
 as to Richard Vairo Santos**

75. Plaintiff re-avers the allegations made in Paragraphs 1 through 34 and incorporates the same herein by reference.

76. In December 2023, SANTOS misrepresented that he had contracts with PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC in order to induce the Plaintiff to enter into and make contributions to a “joint venture” that they would form.

77. SANTOS knew at the time that he made these statements that they were false.

78. SANTOS intended Plaintiff to rely on these representations and Plaintiff, in fact, acted in reliance of these representations and on February 12, 2024, the Plaintiff and Defendant, EWERTON CONSULTING AND INVESTMENTS, LLC, a company owned and controlled by SANTOS, started a joint venture company called RICA FOODS, LLC.

79. The purpose of the joint venture was specifically to sell products to PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
 Complaint

80. Plaintiff relying on these representation made contributions to the joint venture totaling \$2,919,975.00 (TWO MILLION NINE-HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS) in eight different disbursals.

81. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with BA HONG LUNG and that the sales detailed in the spreadsheet were a complete fabrication.

82. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD'S BRAZILIAN SAUSAGE, LLC had a relationship with NINGBO PANTRADERS INTERNATIONAL and that the sales detailed in the spreadsheet were a complete fabrication.

83. As a result of Plaintiff's justifiable reliance on these representations, it has suffered injury.

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, respectfully requests that this Court enter an Order against RICHARD VAIRO SANTOS for fraudulently inducing Plaintiff, and disregarding the corporate entities improperly utilized to further SANTOS' fraudulent schemes, granting Plaintiff an award of attorney's fees and costs expended in this matter, and any such further relief as the Court may deem appropriate or necessary under the circumstances.

**Count VI – Fraudulent Misrepresentation  
 as to Richard Vairo Santos**

84. Plaintiff re-avers the allegations made in Paragraphs 1 through 34 and incorporates the same herein by reference.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

85. In December 2023, SANTOS made false statements to the Plaintiff that he had contracts with PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC and that this joint venture would sell animal proteins such as chicken paws, picanha, pork belly, and filet mignon to these customers.
86. On February 12, 2024, the Plaintiff and Defendant, EWERTON CONSULTING AND INVESTMENTS, LLC, started a joint venture company called RICA FOODS, LLC.
87. The purpose of the joint venture was specifically to sell products to PUBLIX, BA HONG LUNG LIMITED, and NINGBO PANTRADERS INTERNATIONAL INC.
88. Plaintiff in fact made contributions to the joint venture totaling \$2,919,975.00 (TWO MILLION NINE-HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS) in eight different disbursements in furtherance of this joint venture.
89. Thereafter, on July 17, 2024, SANTOS fraudulently misrepresented by email that the Plaintiff would realize a net profit of \$295,801.34 for a total return of \$3,215,776.34 as a result of the sales to PUBLIX, BA HONG LUNG, and NINGBO PANTRADERS INTERNATIONAL.
90. SANTOS knew at the time that he made these statements that they were false.
91. To substantiate these claims, SANTOS provided Plaintiff with spreadsheets of the purchases and sales made by RICHARD'S BRAZILIAN SAUSAGE, LLC in furtherance of this joint venture. True and correct copies of the spreadsheets with details of orders and sales are attached hereto as **Composite Exhibit "B."**



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

92. SANTOS made these statements with the intention to induce Plaintiff to not enforce the Agreement attached hereto as **Exhibit “A”** with the promise of greater profits if it remained part of the joint venture.

93. These misrepresentations were calculated to frustrate and delay Plaintiff from enforcing its rights.

94. Plaintiff acted in justifiable reliance of these false statements.

95. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD’S BRAZILIAN SAUSAGE, LLC had a relationship with BA HONG LUNG and that the sales detailed in the spreadsheet were a complete fabrication.

96. On September 9, 2024, Plaintiff discovered that neither SANTOS nor RICHARD’S BRAZILIAN SAUSAGE, LLC had a relationship with NINGBO PANTRADERS INTERNATIONAL and that the sales detailed in the spreadsheet were a complete fabrication.

97. As a result of Plaintiff’s justifiable reliance on these representations, it has suffered injury.

**WHEREFORE**, Plaintiff, ZQ INVESTMENTS, LLC, respectfully requests that this Court enter an Order against RICHARD VAIRO SANTOS for the fraudulent misrepresentations made to Plaintiff, disregarding the corporate entities improperly utilized to further his fraudulent schemes, granting an award of attorney’s fees and costs expended in this matter, and any such further relief as the Court may deem appropriate or necessary under the circumstances.

#### **IV. ATTORNEYS’ FEES**



ZQ Investments, LLC  
v. Richard Vairo Santos, et al.

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

Section 1.3 of the *Amended and Restated Agreement between ZQ INVESTMENTS, LLC and RICHARD'S BRAZILIAN SAUSAGE, LLC* provides that "[i]f either RICHARD'S BRAZILIAN SAUSAGE, LLC or RICHARD VAIRO SANTOS defaults in payment, ZQ INVESTMENTS, LLC will be entitled to recover any amounts due and owing in addition to attorney's fees and costs."

**WHEREFORE**, Plaintiff, **ZQ INVESTMENTS, LLC**, respectfully demands judgment against the Defendants, **RICHARD VAIRO SANTOS, EWERTON CONSULTING AND INVESTMENTS, LLC, RICHARD'S BRAZILIAN SAUSAGES, LLC, and EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC**, granting the Plaintiff the following relief:

- a. Money damages for the breach of contract;
- b. Money damages for the breach of personal guarantee;
- c. An order finding that RICHARD'S BRAZILIAN SAUSAGES, LLC and RICHARD VAIRO SANTOS are jointly and severally liable for the amounts due to Plaintiff;
- d. An order consistent with the relief requested under the claim for Fraudulent Transfer to EWERTON VAIRO CONSULTING AND INVESTMENTS, LLC under Fla. Stat. § 726.105;
- e. An order finding that RICHARD VAIRO SANTOS and EWERTON CONSULTING AND INVESTMENTS, LLC breached their fiduciary duties to Plaintiff making them are jointly and severally liable for the amounts due to Plaintiff;
- f. An Order disregarding the corporate form of the entitles that RICHARD VAIRO SANTOS used to defraud the Plaintiff;
- g. Prejudgment interest;
- h. Post-judgment interest at the statutory rate;
- i. Court costs;
- j. Reasonable attorneys' fees; and
- k. Such other relief that the Court may deem appropriate and necessary.

Respectfully Submitted,



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

VAdam Law  
511 SE 5th Ave., 809  
Phone: (954) 451-0792  
Fax: (267) 430-8862

By: /s/ Vinicius Adam, Esq.  
Vinicius Adam  
Fla. Bar No. 116536  
Service@VadamLaw.com  
Attorney for Plaintiff

Primary Service Email:



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

## EXHIBIT “A”

*Amended and Restated Agreement between ZQ INVESTMENTS, LLC and RICHARD’S  
BRAZILIAN SAUSAGE, LLC dated June 22, 2024*



**AMENDED AND RESTATED AGREEMENT BETWEEN ZQ INVESTMENTS, LLC  
AND RICHARD'S BRAZILIAN SAUSAGES, LLC**

**THIS AMENDED AND RESTATED AGREEMENT** is entered into this 22nd day of June 2024 by and between ZQ INVESTMENTS, LLC, a Florida limited liability company, located at 1550 Madruga Ave., Suite 150, Coral Gables, FL 33146, and RICHARD'S BRAZILIAN SAUSAGE, LLC a Florida limited liability company, located at 18503 Pines Blvd, Suite 310, Pembroke Pines, FL 33029. ZQ INVESTMENTS, LLC and RICHARD'S BRAZILIAN SAUSAGE, LLC may be individually referred to as "Party" and collectively referred to as "Parties."

**RECITALS**

**WHEREAS**, the Parties entered into an Agreement dated December 21, 2023 (the "2023 Agreement" whereby ZQ INVESTMENTS provided USD \$400,000.00 (four hundred thousand dollars) as funding for a transaction between RICHARD'S BRAZILIAN SAUSAGE and a third-party company, BA HONG LUNG LIMITED; and

**WHEREAS**, ZQ INVESTMENTS provided the funding required under the 2023 Agreement; and

**WHEREAS**, instead of receiving the funds as contemplated under the 2023 Agreement, the Parties decided to enter into a joint venture for the importation and sale of animal proteins through a joint venture company, RICA FOODS, LLC, organized under the laws of the State of Florida (the "joint venture company"); and

**WHEREAS**, ZQ INVESTMENTS, LLC made subsequent transfers to RICHARD'S BRAZILIAN SAUSAGE, LLC as detailed below in furtherance of this joint venture; and

**WHEREAS**, the joint venture company is pending approval by the U.S. Food and Drug Administration, and the funds have been utilized by RICHARD'S BRAZILIAN SAUSAGE, LLC;

**WHEREAS**, the Parties now desire to memorialize and affirm these transactions, and the promises made in connection therewith.

**NOW, THEREFORE**, and for valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Parties agree as follows:

**1.1 Payments Made**

It is hereby acknowledged that the following transfers were made by CVJ GLOBAL, LLC on behalf of ZQ INVESTMENTS, LLC to RICHARD'S BRAZILIAN SAUSAGE, LLC, corresponding to the dates adjacent to the amounts in valid currency of the United States of America:

\$400,000.00	12/22/2023
\$300,000.00	01/03/2024
\$339,500.00	01/24/2024
\$500,000.00	02/23/2024

Initials [ ]  
Initials [ ]  
CQ



\$180,475.00	02/27/2024
\$500,000.00	03/13/2024
\$400,000.00	04/01/2024
\$300,000.00	04/03/2024
<b>TOTAL</b>	<b>\$2,919,975.00</b>

### 1.2 Acknowledgment of the Debt

The total amount due and owing to by ZQ INVESTMENTS, LLC to RICHARD'S BRAZILIAN SAUSAGE, LLC is \$2,919,975.00 (TWO MILLION NINE-HUNDRED NINETEEN THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS). These amounts remain due and owing.

### 1.3 Repayment of the Debt

RICHARD'S BRAZILIAN SAUSAGE, LLC agrees that it will either execute a Joint Venture Agreement with ZQ INVESTMENTS, LLC, providing ZQ INVESTMENTS, LLC with the financial records, including its bank statements evidencing the utilization of the funds to date within three business days of this Agreement or that it will repay the amounts delineated herein with interest accruing at a rate of 10% per year from the date that the funds were disbursed. In the event that the Parties do not execute a Joint Venture Agreement as stated herein, RICHARD VAIRO SANTOS will personally, absolutely, and unconditionally guarantees repayment of this debt. If either RICHARD'S BRAZILIAN SAUSAGE, LLC or RICHARD VAIRO SANTOS defaults in payment, ZQ INVESTMENTS, LLC will be entitled to recover any amounts due and owing in addition to attorney's fees and costs.

**IN WITNESS WHEREOF**, the Parties have executed this document as of the day and year first above written.

**ZQ INVESTMENTS, LLC**

**RICHARD'S BRAZILIAN SAUSAGE, LLC**

BY: Caio Quadrado  
CAIO ROSSI QUADRADO, MANAGER

BY:   
RICHARD VAIRO SANTOS, MANAGER

  
RICHARD VAIRO SANTOS, INDIVIDUALLY







**TIMESTAMP**

06/22/2024 12:35 EDT

06/22/2024 12:35 EDT

06/22/2024 12:38 EDT

06/22/2024 12:41 EDT

06/22/2024 12:42 EDT

06/22/2024 12:42 EDT

**AUDIT**

Caio Rossi Quadrado (caiorq@gmail.com) authenticated via email on Chrome via Mac from 5.62.43.207.

Caio Rossi Quadrado (caiorq@gmail.com) signed the document on Chrome via Mac from 5.62.43.207.

Richard Vairo Santos (richardsbraziliansausage@richardsbraziliansausage.net) viewed the document on Mobile Safari via iOS from 172.58.131.72.

Richard Vairo Santos (richardsbraziliansausage@richardsbraziliansausage.net) viewed the document on Mobile Safari via iOS from 172.58.131.72.

Richard Vairo Santos (richardsbraziliansausage@richardsbraziliansausage.net) authenticated via email on Mobile Safari via iOS from 172.58.131.72.

Richard Vairo Santos (richardsbraziliansausage@richardsbraziliansausage.net) signed the document on Mobile Safari via iOS from 172.58.131.72.



*ZQ Investments, LLC*  
*v. Richard Vairo Santos, et al.*

Case No. COCE-24-\_\_\_\_\_( )  
Complaint

## COMPOSITE EXHIBIT “B”

Spreadsheets with Details of Orders and Sales of the Rica Foods, LLC Joint Venture



1002	03/04/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS Filé mignon Maminha RBS	prime * RBS filé mignon RBS trip trip	lbs lbs lbs	83721,30 45301,40 12308,50	\$3,59 \$8,70 \$3,99	\$743.792,57 \$300.559,47 \$394.122,18 \$49.110,92	30 D	04/03/2024	PAID
1003	03/04/2024	PUBLIX DISTRIBUTION CENTER	Pork belly	Aurora	lbs	211200,00	\$2,19	\$462.528,00	30 D	04/03/2024	PAID
1004	04/01/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS	prime * RBS	lbs	140752,60	\$3,59	\$505.301,83 \$505.301,83	30 D	05/01/2024	PAID
1005	04/01/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS Filé mignon	prime * RBS filé mignon RBS	lbs lbs	101454,10 10704,90	\$3,59 \$8,70	\$457.352,85 \$364.220,22 \$93.132,63	30 D	05/01/2024	PAID
1006	02/07/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	04/07/2024	PAID
1007	03/11/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	05/10/2024	PAID
1008	03/18/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	30 D	04/17/2024	PAID
1009	04/06/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	06/05/2024	PAID
1010	04/06/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS	prime * RBS	lbs	81702,70	\$3,59	\$293.312,69 \$395.760,00	30 D	05/05/2024	PAID
1011	05/03/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	07/02/2024	
1012	05/03/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	07/02/2024	
1013	05/02/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS Filé mignon Trip Trip	prime * RBS filé mignon RBS	lbs lbs lbs	79982,00 38704,00 14674,00	\$3,59 \$8,70 \$3,99	\$682.409,44 \$287.135,38 \$336.724,80 \$58.549,26	30 D	06/01/2024	PAID
1014	05/02/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	07/01/2024	
1015	05/17/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395.760,00	60 D	07/16/2024	
1016	05/13/2024	PUBLIX DISTRIBUTION CENTER	Picanha RBS Filé mignon	prime * RBS filé mignon RBS	lbs lbs	68071,00 12004,00	\$3,59 \$8,70	\$381.140,66 \$244.374,89 \$104.434,80	28 D	06/10/2024	PAID



			Maminha RBS	trip trip	lbs	8103,00	\$3,99	\$32,330,97		
		NINGBO PANTRADERS INTERNATIONAL INC							PAID	
1017	05/16/2024		Chicken paws	grade A3g	metro tonelada	272	\$2,925,00	\$795,600,00	7 D	05/23/2024
1018	05/30/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395,760,00	60 D	07/29/2024
1019	06/06/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395,760,00	60 D	08/05/2024
1020	06/13/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395,760,00	60 D	08/12/2024
1021	06/10/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	54815,40	\$3,59	\$196,787,29	28 D	07/08/2024
1022	06/14/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	51703,10	\$3,59	\$185,614,13	28 D	07/12/2024
1023	06/18/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	51886,50	\$3,59	\$186,272,54	28 D	07/16/2024
1024	06/19/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	54300,45	\$3,59	\$194,938,62	28 D	07/17/2024
1025	06/20/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395,760,00	60 D	08/19/2024
1026	06/27/2024	BA HONG LUNG LIMITED	Chicken pawsA	35g Grade A*	metro tonelada	136	\$2,910,00	\$395,760,00	60 D	08/26/2024
1027	06/24/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	57803,20	\$3,59	\$207,513,49	28 D	07/22/2024
1028	06/26/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	56987,50	\$3,59	\$204,585,13	28 D	07/24/2024
1029	06/28/2024	PUBLUX DISTRIBUTION CENTER	Meat: Picanha		lbs	59021,45	\$3,59	\$211,887,01	28 D	07/26/2024



240418012247	04/18/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET	grade A 35g	1	\$312,000.00	04/18/2024	PAID
240415006597	04/15/2024	THOMAS FOODS USA	PICANHA	PICANHA	1	\$305,000.00	04/15/2024	PAID
240415006597	04/15/2024	THOMAS FOODS USA	PICANHA	grade A 35g	1	\$175,000.00	04/15/2024	PAID
NO NUMBER	04/02/2024	THOMAS FOODS USA	PICANHA		1	\$817,500.00	04/02/2024	PAID
240402017521	04/02/2024	MOUNTAIRE FARMS OF NC	PICANHA FILE		1	\$715,400.00	04/02/2024	PAID
NO NUMBER	04/01/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET	grade A 35g	1	\$102,100.00	04/01/2024	PAID
NO NUMBER	04/01/2024	THOMAS FOODS USA	CHICKEN FEET	grade A 35g	1	\$500,000.00	04/01/2024	PAID
NO NUMBER	04/01/2024	THOMAS FOODS USA	CHICKEN FEET	grade A 35g	1	\$567,213.50	04/01/2024	PAID
NO NUMBER	03/28/2024	MOUNTAIRE FARMS OF NC	PICANHA - FILÉ - TRIP TRIP		1	\$503,802.00	03/28/2024	PAID
NO NUMBER	03/14/2024	THOMAS FOODS USA	PICANHA - FILÉ - TRIP TRIP		1	\$550,000.00	03/14/2024	PAID
NO NUMBER	02/26/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET	grade A 35g	1	\$395,701.50	02/26/2024	PAID
NO NUMBER	02/26/2024	THOMAS FOODS USA	CHICKEN FEET	grade A 35g	1	\$675,200.00	02/26/2024	PAID
NO NUMBER	01/25/2024	MOUNTAIRE FARMS OF NC	PICANHA - FILÉ - TRIP TRIP		1	\$685,750.23	01/25/2024	PAID
NO NUMBER	01/24/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET	grade A 35g	1	\$339,500.00	01/24/2024	PAID
NO NUMBER	12/28/2023	MOUNTAIRE FARMS OF NC	CHICKEN FEET		1	\$339,500.00	12/28/2023	PAID
NO NUMBER	12/27/2023	MOUNTAIRE FARMS OF NC	CHICKEN FEET	grade A 35g	1	\$150,000.00	12/27/2023	PAID
NO NUMBER	12/26/2023	AURORA ALIMENTOS	CHICKEN FEET	grade A 35g	1	\$348,600.00	12/26/2023	PAID
NO NUMBER	12/26/2023	MOUNTAIRE FARMS OF NC	POR BELLY		228000	\$430,920.00	12/26/2023	PAID
NO NUMBER	12/26/2023	MOUNTAIRE FARMS OF NC	CHICKEN FEET		1	\$430,920.00	12/26/2023	PAID
NO NUMBER	06/10/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET		1	\$150,000.00	06/10/2024	PAID
					1	\$810,000.00		PAID



06/10/2024	THOMAS FOODS USA	PICANHA	lbs	231500,53	\$2,80	\$648.201,50	06/10/2024	PAID
06/24/2024	THOMAS FOODS USA	PICANHA	lbs	161799,83	\$3,11	\$503.197,50	06/27/2024	PAID
06/27/2024	MOUNTAIRE FARMS OF NC	CHICKEN FEET	metro tonelada	327,59	\$2.490,00	\$815.700,00	06/10/2024	PAID





1.0 (+) VENDAS				
1.1 RECEITA DE VENDAS	\$	6.520.239,30	\$	5.725.296,59
2.0 (-) CUSTOS E DESPESAS OPERACIONAIS				
2.1 PERDAS INERENTES AO PROCESSO PRODUTIVO	\$	6.050.000,00	\$	4.927.906,75
2.2 INSTALAÇÃO FÁBRICA	\$	-		
2.3 VÃO-DE-OBRA DIRETA	\$	51.434,21		
2.4 EMBALAGENS	\$	172.782,79	\$	114.100,95
2.5 TRANSPORTE INTERNO	\$	20.575,00		
2.6 SEGURO	\$	16.285,52		
2.7 COMISSÃO DE VENDAS	\$	-	\$	114.405,22
2.8 OUTROS CUSTOS	\$	-	\$	141.681,45
3.0 (=) RESULTADO OPERACIONAL				
3.1 LUCRO BRUTO	\$	209.161,77	\$	427.202,22
4.0 (-) RATEIO				
4.1 RATEIO DESPESAS GERAIS	\$			34.761,30
5.0 (=) RESULTADO FINAL	\$			601.602,69
6.0 (=) DISSOLUÇÃO SOCIEDADE	\$			300.801,34
MONTANTE DISPONÍVEL CHASE BANK - SAQUE CAIO	\$	5.000,00	\$	295.801,34



Filing # 214886900 E-Filed 01/18/2025 12:31:42 PM

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE24013529 DIVISION: 09 JUDGE: Levenson, Jeffrey R. (09)

**ZQ INVESTMENTS, LLC**

Plaintiff(s) / Petitioner(s)

v.

**Richard Vairo Santos, et al**

Defendant(s) / Respondent(s)

**AGREED ORDER GRANTING PLAINTIFF FINAL JUDGMENT AS TO COUNTS I AND II  
OF THE COMPLAINT**

**THIS MATTER**, having come before the Court upon the Parties' Stipulation for Entry of FINAL JUDGMENT AS TO COUNTS I AND II OF THE COMPLAINT against Defendants, RICHARD'S BRAZILIAN SAUSAGE, LLC and RICHARD VAIRO SANTOS, respectively, and the Court being fully informed as to the agreement of the Parties, and having reviewed the pleadings, affidavits, exhibits, and other materials on record, and being otherwise fully advised in the premises, finds:

1. Plaintiff is entitled to judgment as to Counts I and II of the Complaint. Plaintiff is entitled to a recovery of damages from Defendant, Richard's Brazilian Sausage, LLC, for breach of contract as alleged in Count I of the Complaint, and against Defendant, Richard Vairo Santos, for breach of personal guarantee as alleged in Count II of the Complaint. Defendants Richard's Brazilian Sausage, LLC and Richard Vairo Santos shall be jointly and severally liable for all amounts due under this Final Judgment.
2. Plaintiff, ZQ Investments, LLC, is entitled to recover the principal amount of \$2,919,975.00, less any payments previously made by Defendants. Plaintiff is further entitled to 10% interest per annum on the outstanding balance from the date of each disbursement, as set forth in the



Amended and Restated Agreement between ZQ Investments, LLC and Richard's Brazilian Sausages, LLC (the "Agreement").

3. The Agreement also provides for the recovery of reasonable attorney's fees and costs for which the Plaintiff submitted an Affidavit of Costs, Affidavit as to Time Expended, and Affidavit as to Reasonableness of the Attorney's Fees filed on November 22, 2024. The Court finds that the amounts set forth in the affidavit of costs of \$715.20 and the affidavit of attorney's fees of \$8,050.00 are reasonable.
4. Defendants made three payments of \$50,000.00 each to Plaintiff on August 14, 2024, August 16, 2024, and September 6, 2024, respectively, for a total of \$150,000.00. The balance, including accrued interest, after applying the payments was \$2,929,897.16, as set forth in the Affidavit of Plaintiff in Proof of Claim.
5. The Plaintiff is entitled to pre-judgment interest (accrued interest at the rate of 10% per year or \$802.71 per day) in the amount of \$129,012.88 after the application of payments made by the Defendants.

Accordingly, it is hereby:

**ORDERED, ADJUDGED, and DECREED** that the said Plaintiff, ZQ INVESTMENTS, LLC (hereinafter "Plaintiffs") does have and recover of and from said Defendants, RICHARD'S BRAZILIAN SAUSAGE, LLC and RICHARD VAIRO SANTOS the principal amount of \$2,919,975.00 (two million nine hundred nineteen thousand nine hundred seventy-five dollars), pre-judgment interest in the amount of \$129,012.88 (one hundred twenty-nine thousand twelve dollars and eighty-eight cents), costs in the amount of \$715.20 (seven hundred fifteen dollars and twenty cents), and attorneys fees in the amount of \$8,050.00 (eight thousand fifty dollars) for a **total sum of \$3,057,753.08 (three million fifty-seven thousand seven hundred fifty-three dollars and eight cents)** that shall bear interest after the entry of this Judgment at rate of 10.00% per year, for which let execution issue. Jurisdiction of this cause is reserved for the entry of an Order with regard to further attorney's fees and



Case Number: CACE24013529

costs pursuant to Florida Statute §57.115.

Jurisdiction of this case is retained to enter further orders that are proper to compel the judgment debtors to complete post-judgment discovery in aid of execution, garnishment or other collection procedures. As such, actions taken by the Plaintiff to collect on this Judgment which may require Court intervention will not be charged a "re-opening" fee pursuant to Florida Statutes §28.241. This is notwithstanding the fact that this case may have been previously reported as disposed of and being resubmitted to the Court for further proceedings.

It is further ordered and adjudged that the judgment debtor(s) shall complete under oath Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the judgment creditor's attorney, or the judgment creditor if the judgment creditor is not represented by an attorney, within 45 days from the date of this final judgment, unless the final judgment is satisfied or post-judgment discovery is stayed. Jurisdiction of this case is retained to enter further orders that are proper to compel the judgment debtor(s) to complete form 1.977, including all required attachments, and serve it on the judgment creditor's attorney, or the judgment creditor if the judgment creditor is not represented by an attorney.

The last known address of the Defendants/ Judgment Debtors:

**RICHARD'S BRAZILIAN SAUSAGE, LLC**, 18503 Pines Blvd., Suite 310, Pembroke Pines, FL 33029; and

**RICHARD VAIRO SANTOS**, 6101 SW 180<sup>th</sup> Terrace, Southwest Ranches, FL 33331.

The address for the Plaintiffs/Judgment Creditor:

**ZQ INVESTMENTS, LLC**, 1550 Madruga Avenue, Ste 150, Coral Gables, FL 33146.

**DONE AND ORDERED** in Chambers at Broward County, Florida on 18th day of January, 2025.

  
CACE24013529 01-18-2025 7:04 AM

CACE24013529 01-18-2025 7:04 AM  
Hon. Jeffrey Levenson  
**CIRCUIT COURT JUDGE**  
Electronically Signed by Jeffrey Levenson



Case Number: CACE24013529

**Copies Furnished To:**

Roberto E Moran , E-mail : [ahochman@robertomoranlaw.com](mailto:ahochman@robertomoranlaw.com)

Roberto E Moran , E-mail : [rmoran@robertomoranlaw.com](mailto:rmoran@robertomoranlaw.com)

THOMAS M. LYNCH IV , E-mail : [tomlynchmediation@gmail.com](mailto:tomlynchmediation@gmail.com)

Vinicius Adam , E-mail : [vinicius@vadamlaw.com](mailto:vinicius@vadamlaw.com)

Vinicius Adam , E-mail : [service@vadamlaw.com](mailto:service@vadamlaw.com)



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdkdt@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Jude M. Faccidomo (jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com, rachel@rflawgroup.com, victoria@rflawgroup.com), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25255440@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

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**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:**

**Document Number:** 16(No document attached)

**Docket Text:**

**CLERK'S Notice of Policy re Electronic Submission of Exhibit(s) sent to USA Re D.E. [15]  
Clerk's Exhibit/Notices Exhibit Numbers: Government Paper Exhibits**

Local Rule 5.3 provides that within ten (10) days of the conclusion of a hearing or trial, a party must file in CM/ECF an electronic version of most exhibits offered or introduced into evidence. Before electronically filing, the filer must redact any sensitive, confidential, or private information in accordance with Fed. R. Civ. P. 5.2, Fed. R. Crim. P. 49.1, and CM/ECF Administrative Procedures, Section 6, or seek an order from the Court either to seal the exhibit or to exempt the exhibit from electronic filing under subsection (b)(3)(C) of the rule. Failure to electronically file exhibits and the Certificate of Compliance Re Admitted Evidence within ten (10) days may result in the imposition of sanctions. The Local Rule, the Certificate of Compliance Re Admitted Evidence, and the Quick Reference Guide to Electronically Filing Trial Exhibits can be found on the Courts website: <http://www.flsd.uscourts.gov> as to Richard Vairo. (drz)

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp; ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdkdt@usdoj.gov

Jude M. Faccidomo &nbsp; &nbsp; jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com,  
rachel@rflawgroup.com, victoria@rflawgroup.com



**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmech\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Jude M. Faccidomo (jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com, rachel@rflawgroup.com, victoria@rflawgroup.com), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25255436@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo  
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**U.S. District Court**

**Southern District of Florida**

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**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:**

**Document Number:** 15(No document attached)

**Docket Text:**

**CLERK'S Notice of Receipt of Exhibit(s) received from USA Re D.E. [10] Detention Hearing, Status Conference, Exhibit Numbers: Government Paper Exhibits as to Richard Vairo. (drz)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp; ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdk@usdoj.gov

Jude M. Faccidomo &nbsp; &nbsp; jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com,  
rachel@rflawgroup.com, victoria@rflawgroup.com

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No: 25-MJ-6133-AOV

United States of America  
Plaintiff,

v.

Charging District's Case No. 25-CR-0027-JCM

Richard Vairo  
Defendant,

\_\_\_\_\_ /

**WAIVER OF RULE 5 & 5.1 REMOVAL/IDENTITY HEARINGS**

I understand that I have been charged in another district, the District of Nevada.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my rights to: **(check those that apply)**

- ☒ An identity hearing and production of the warrant.
- ☒ A preliminary hearing.
- ☐ A detention hearing in the Southern District of Florida.
- ☐ An identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled to in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 2/28/2025

\_\_\_\_\_  
Defendant's Signature

  
ALICIA O. VALLE

UNITED STATES MAGISTRATE JUDGE



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmech\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Jude M. Faccidomo (jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com, rachel@rflawgroup.com, victoria@rflawgroup.com), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants: Financial Clerk (flsd\_financial@flsd.uscourts.gov), United States Pretrial, Probation and PSI Unit Office (DQA) (flsp\_dqa@flsp.uscourts.gov, mia\_dqa@flsp.uscourts.gov)  
--No Notice Sent:  
  
Message-Id:25254339@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Order on Motion for Bond  
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**U.S. District Court**

**Southern District of Florida**

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**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:**

**Document Number:** 13(No document attached)

**Docket Text:**

**PAPERLESS ORDER DENYING [12] Motion for Bond. as to Richard Vairo (1). (Signed by Magistrate Judge Alicia O. Valle on 2/28/2025). (at)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

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Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdk@usdoj.gov

Jude M. Faccidomo &nbsp; &nbsp; jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com,  
rachel@rflawgroup.com, victoria@rflawgroup.com

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--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Jude M. Faccidomo (jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com, rachel@rflawgroup.com, victoria@rflawgroup.com), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants: United States Pretrial, Probation and PSIunit Office (DQA) (flsp\_dqa@flsp.uscourts.gov, mia\_dqa@flsp.uscourts.gov)  
--No Notice Sent:  
  
Message-Id:25254329@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Motion for Bond  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

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The following transaction was entered on 2/28/2025 at 2:21 PM EST and filed on 2/28/2025

**Case Name:** USA v. Richard Vairo  
**Case Number:** 0:25-mj-06133-AOV  
**Filer:** Dft No. 1 – Richard Vairo  
**Document Number:** 12(No document attached)  
**Docket Text:**  
**[ORAL MOTION for Bond by Richard Vairo. \(at\)](#)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp;ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp;Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov, Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov

Jude M. Faccidomo &nbsp; &nbsp;jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com, rachel@rflawgroup.com, victoria@rflawgroup.com

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--Non Case Participants: United States Pretrial, Probation and PSIunit Office (DQA) (flsp\_dqa@flsp.uscourts.gov, mia\_dqa@flsp.uscourts.gov)  
--No Notice Sent:  
  
Message-Id:25254327@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Motion for Bond  
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**U.S. District Court**

## Southern District of Florida

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**Case Name:** USA v. Richard Vairo  
**Case Number:** 0:25-mj-06133-AOV  
**Filer:** USA  
**Document Number:** 11(No document attached)

**Docket Text:**

**ORAL MOTION for PRETRIAL DETENTION by USA as to Richard Vairo. (at)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

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Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS–BRDKT@usdoj.gov, usafls–ftlscheduler@usa.doj.gov,  
usafls–hqdkdkt@usdoj.gov

Jude M. Faccidomo &nbsp;   jude@rflawgroup.com, laura@rflawgroup.com, mycki@rflawgroup.com,  
rachel@rflawgroup.com, victoria@rflawgroup.com

**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



**COURT MINUTES/ORDER****United States Magistrate Judge Alicia O. Valle****Courtroom 310****Date: 2/28/2025****Time: 10:30 a.m.**Defendant: **Richard Vairo (J)** J#: **62881-511** Case #: **25-mj-6133-AOV**AUSA: **Corey O'Neal** Attorney: **Jude M. Faccidomo and Laura Marino**Violation: **18 U.S.C. § 1343 – Wire Fraud**Proceeding: **Removal/Detention Hearing**

CJA Appt: \_\_\_\_\_

Bond/PTD Held: ☐ Yes ☒ No

Recommended Bond: \_\_\_\_\_

Bond Set at: **Pretrial Detention**

Co-signed by: \_\_\_\_\_

☐ Surrender and/or do not obtain passports/travel docsLanguage: **Portuguese**☐ Report to PTS as directed/or \_\_\_\_\_ x's a week/month by phone: \_\_\_\_\_ x's a week/month in person☐ Random urine testing by Pretrial Services \_\_\_\_\_ Treatment as deemed necessary☐ Refrain from excessive use of alcohol/drugs☐ Participate in mental health assessment & treatment☐ Maintain or seek full-time employment/education☐ No contact with victims/witnesses/☐ No firearms☐ Not to encumber property☐ May not visit transportation establishments☐ Home Confinement/Electronic Monitoring and/or Curfew \_\_\_\_\_ pm to \_\_\_\_\_ am, paid by \_\_\_\_\_☐ Allowances: Medical needs, court appearances, attorney visits, religious, employment☐ Travel extended to: \_\_\_\_\_☐ Other: \_\_\_\_\_**Disposition:**

Def. present with counsel. Counsel filed notice of temporary appearance (DE 9). Portuguese interpreter present. Detention/removal hearing held. Gov't proceeded by proffer based on risk of flight. Agent Julinpa Kazazi sworn/test. Def. cross-examined the agent. Parties presented oral arguments. Gov't oral motion for PTD – granted. Order to follow. Def. oral motion for bond – denied. Defendant agrees to waive removal/identity hearings. Waiver of Removal and Commitment Order signed. Defendant shall be removed to the District of Nevada.

**NEXT COURT APPEARANCE****Date:****Time:****Judge:****Place:****Report RE Counsel:** \_\_\_\_\_**PTD/Removal:** \_\_\_\_\_**Prelim/Arraign or Removal:** \_\_\_\_\_**Extradition hearing:** \_\_\_\_\_**D.A.R.** **11:41:15/12:52:20****Time in Court:** **1 hr and 25 minutes**

**CHECK IF APPLICABLE:** ☐ For the reasons stated by counsel for the Defendant and finding that the ends of justice served by granting the ore tenus motion for continuance to hire counsel outweigh the best interests of the public & the Defendant in a Speedy Trial, the Court finds that the period of time from today, through and including \_\_\_\_\_, shall be deemed excludable in accordance with the provisions of the Speedy Trial Act, 18 USC 3161 et seq..



**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**UNITED STATES OF AMERICA,**

§

**Plaintiff,**

§

**CASE NO.: 25-MJ-6133-AOV-1**

**VS.**

§

**RICHARD VAIRO,**

§

**Defendant.**

§

## TEMPORARY NOTICE OF APPEARANCE

Ratzan & Faccidomo, LLC, Attorneys at Law, 2850 Tigertail Avenue, Suite 400, Miami, FL 33133, hereby files this Temporary Notice of Appearance in the above-captioned case on behalf of Defendant, Richard Vairo.

**IT IS HEREBY CERTIFIED** that a true and correct copy of the foregoing was tendered via CM/ECF to the Clerk of Court, and to all interested parties, on this 27<sup>th</sup> day of February 2025.

Respectfully submitted,

**ATTORNEYS AT LAW**  
2850 Tigertail Avenue  
Suite 400  
Miami, Florida 33133  
305 374-5730 Office  
305 374-6755 Fax  
[jude@rflawgroup.com](mailto:jude@rflawgroup.com)  
[laura@rflawgroup.com](mailto:laura@rflawgroup.com)

By: *s/Jude M. Faccidomo*  
Jude M. Faccidomo, Esq.  
FL. Bar: 12254

By: *s/Laura Marino*  
Laura Marino, Esq.  
FL. Bar: 1048793



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmech\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25245703@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Order on Motion to Continue  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 2:37 PM EST and filed on 2/26/2025

**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:**

**Document Number:** 8(No document attached)

**Docket Text:**

**PAPERLESS ORDER granting [7] Motion to Continue Pretrial Detention/Removal Hearings as to Richard Vairo (1). Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. (smy)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp; ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdk@usdoj.gov

**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdkdt@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25245685@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Motion to Continue  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 2:36 PM EST and filed on 2/26/2025

**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:** Dft No. 1 – Richard Vairo

**Document Number:** 7(No document attached)

**Docket Text:**

**ORAL MOTION to Continue Pretrial Detention/Removal Hearings by Richard Vairo. (smy)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp; ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdkdt@usdoj.gov

**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants: Federal Public Defender (fls\_ecf@fd.org)  
--No Notice Sent:  
  
Message-Id:25245678@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Order on Motion to Appoint Counsel  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 2:34 PM EST and filed on 2/26/2025

**Case Name:** USA v. Richard Vairo

**Case Number:** 0:25-mj-06133-AOV

**Filer:**

**Document Number:** 6(No document attached)

**Docket Text:**

**PAPERLESS ORDER granting [5] Motion to Appoint Counsel as to Richard Vairo (1). Signed by Magistrate Judge Alicia O. Valle on 2/26/2025. (smy)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL flt\_ecf@fd.org

Corey O'Neal Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov, Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdk@usdoj.gov

**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Corey O'Neal (caseview.ecf@usdoj.gov, corey.o'neal@usdoj.gov, jelenia.weeks@usdoj.gov, usafls-brdkt@usdoj.gov, usafls-ftlscheduler@usa.doj.gov, usafls-hqdkdt@usdoj.gov), Noticing FPD-FTL (ftl\_ecf@fd.org), Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants: Federal Public Defender (fls\_ecf@fd.org)  
--No Notice Sent:  
  
Message-Id:25245670@flsd.uscourts.gov  
Subject:Activity in Case 0:25-mj-06133-AOV USA v. Richard Vairo Motion to Appoint Counsel  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 2:33 PM EST and filed on 2/26/2025

**Case Name:** USA v. Richard Vairo  
**Case Number:** 0:25-mj-06133-AOV  
**Filer:** Dft No. 1 – Richard Vairo  
**Document Number:** 5(No document attached)  
**Docket Text:**  
**ORAL MOTION to Appoint Counsel by Richard Vairo. (smy)**

**0:25-mj-06133-AOV-1 Notice has been electronically mailed to:**

Noticing FPD-FTL &nbsp; &nbsp; ftl\_ecf@fd.org

Corey O'Neal &nbsp; &nbsp; Corey.O'Neal@usdoj.gov, CaseView.ECF@usdoj.gov,  
Jelenia.Weeks@usdoj.gov, USAFLS-BRDKT@usdoj.gov, usafls-ftlscheduler@usa.doj.gov,  
usafls-hqdkdt@usdoj.gov

**0:25-mj-06133-AOV-1 Notice has not been delivered electronically to those listed below and will be provided by other means. For further assistance, please contact our Help Desk at 1-888-318-2260.:**



**United States Magistrate Judge Alicia O. Valle**

## Courtroom 310

Date: 2/26/2025

Time: 11:00 a.m.

Defendant: **Richard Vairo (J)** J#: Case #: **25-mj-6133-AOV**

AUSA: **Francesse Cheron for Corey O'Neal** Attorney: **Wesley Wallace, AFD**

Violation: 18 U.S.C. § 1343 – Wire Fraud


Proceeding: Initial Appearance on Removal CJA Appt: \_\_\_\_\_

Bond/PTD Held: ☒ Yes ☐ No      Recommended Bond: Pretrial Detention

Bond Set at: \_\_\_\_\_ Co-signed by: \_\_\_\_\_

☐ Surrender and/or do not obtain passports/travel docs

Language: Spanish

 Report to PTS as directed/or \_\_\_\_\_x's a week/month by  
phone: \_\_\_\_\_x's a week/month in person

Disposition:

Def. present in court. Spanish interpreter

present. Def. advised of rights and charges.

Def. oral motion to appoint counsel – granted.

Def. sworn/test. as to appointment of counsel.

Def. found indigent. ACPD appointed

provisionally for removal proceedings only.

AFPD Wesley Wallace represented to the

Court that Atty's Laura Marino and Jude

Faccidomo will be representing the def. at the

removal/detention hearing. They will be filing

a Notice of Appearance once case is unsealed.

Def. motion to continue PTD/Removal hearing

— granted.

**NEXT COURT APPEARANCE**      **Date:**                      **Time:**                      **Judge:**                      **Place:**

**Report RE Counsel:**

**PTD/Removal:** 2/28/2025 @ 10:30am FTL DUTY MAG.

**Prelim/Arraign or Removal:**

Extradition hearing:

D.A.R. 11:46:15/12:04:45 Time in Court: 45 minutes

CHECK IF APPLICABLE:    For the reasons stated by counsel for the Defendant and finding that the ends of justice served by granting the ore tenus motion for continuance to hire counsel outweigh the best interests of the public & the Defendant in a Speedy Trial, the Court finds that the period of time from today, through and including       , shall be deemed excludable in accordance with the provisions of the Speedy Trial Act, 18 USC 3161 et seq..



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 25-MJ-6133-AOV

UNITED STATES OF AMERICA  
Plaintiff

vs

RICHARD VAIRO  
Defendant

\_\_\_\_\_ /

**ORDER**

THIS CAUSE is before the Court for the initial appearance of the above-named defendant(s) on a SEALED INDICTMENT filed in the District of Nevada.

UPON ORAL motion of the Government in open court that the case be unsealed, it is hereby

ORDERED AND ADJUDGED that the SEALED INDICTMENT filed in the District of Nevada be unsealed as to the above defendant.

DONE AND ORDERED at Fort Lauderdale, Florida this 26<sup>th</sup> day of February, 2025.

  
\_\_\_\_\_  
**ALICIA O. VALLE**  
**UNITED STATES MAGISTRATE JUDGE**

cc: All Counsel of Record



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25245590@flsd.uscourts.gov  
Subject:Activity in Case 25-6133 Sealed v. Sealed (Redacted Notice)  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 2:25 PM EST and filed on 2/26/2025

**Case Name:** USA v. SEALED  
**Case Number:** 0:25-mj-06133-AOV \*SEALED\*  
**Filer:** USA

**Document Number:** 2(No document attached)

**Docket Text:**

**ORAL MOTION to Unseal Case by USA as to Richard Vairo. (smy)**

**0:25-mj-06133-AOV \*SEALED\*-1 No electronic public notice will be sent because the case/entry is sealed.**



MIME-Version:1.0  
From:cmechautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25243304@flsd.uscourts.gov  
Subject:Activity in Case 25-6133 Sealed v. Sealed (Redacted Notice)  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 8:04 AM EST and filed on 2/25/2025

**Case Name:** USA v. SEALED  
**Case Number:** 0:25-mj-06133-AOV \*SEALED\*  
**Filer:**  
**Document Number:** No document attached  
**Docket Text:**  
**Arrest of Richard Vairo (at)**

**0:25-mj-06133-AOV \*SEALED\*-1 No electronic public notice will be sent because the case/entry is sealed.**



MIME-Version:1.0  
From:cmecfautosender@flsd.uscourts.gov  
To:flsd\_cmecf\_notice  
Bcc:  
--Case Participants: Magistrate Judge Alicia O. Valle (valle@flsd.uscourts.gov)  
--Non Case Participants:  
--No Notice Sent:  
  
Message-Id:25243302@flsd.uscourts.gov  
Subject:Activity in Case 25-6133 Sealed v. Sealed (Redacted Notice)  
Content-Type: text/html

**U.S. District Court**

**Southern District of Florida**

**Notice of Electronic Filing**

The following transaction was entered on 2/26/2025 at 8:03 AM EST and filed on 2/26/2025

**Case Name:** USA v. SEALED

**Case Number:** 0:25-mj-06133-AOV \*SEALED\*

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**Set Hearing as to Richard Vairo: Initial Appearance – Rule 5(c)(3)/40 set for 2/26/2025 11:00 AM in Fort Lauderdale Division before FTL Duty Magistrate Judge. (at)**

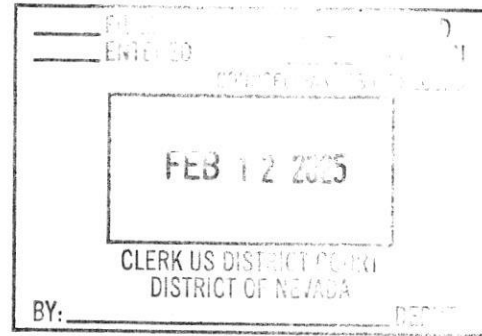
**0:25-mj-06133-AOV \*SEALED\*-1 No electronic public notice will be sent because the case/entry is sealed.**



Our Case Number: 25-mj-6133-AOV

SUE FAHAMI  
Acting United States Attorney  
Nevada Bar No. 5634  
DANIEL R. SCHIESS  
Nevada Bar No. 5483  
Assistant United States Attorney  
501 Las Vegas Blvd South, 11<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
(702) 388-6336  
[dan.schiess@usdoj.gov](mailto:dan.schiess@usdoj.gov)

*Attorneys for the United States of America*



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**FILED BY AR D.C.**

**Feb 26, 2025**

**ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - FTL**

**UNITED STATES OF AMERICA,**  
  
**Plaintiff,**

**v.**

**RICHARD VAIRO,**  
  
**Defendant.**

**SEALED  
CRIMINAL INDICTMENT**

Case No. 2:25-cr-0027-JCM-EJY

**VIOLATIONS:**

18 U.S.C. § 1343 – Wire Fraud

Asset Forfeiture Allegation One

**THE GRAND JURY CHARGES THAT:**

**INTRODUCTION**

1. Defendant Richard Vairo was a resident of Florida and owned Richard's Brazilian Sausage LLC (RBS), a Florida company that supplied meat products to grocery stores in Florida.
2. "Company-1" was a company located in Las Vegas, Nevada, that supplied food products to companies and was owned by E.S.
3. "Individual-1" resided in Brazil and was defendant Vairo's business associate.
4. "Individual-2" resided in Las Vegas, Nevada, and was E.S.'s business associate.



**COUNTS ONE THROUGH TEN**

**Wire Fraud**

**(18 U.S.C. § 1343)**

5. The allegations set forth in paragraphs one through four of the introduction to this indictment are incorporated herein by reference as if set forth in full.

6. From in or about September 2021 to in or about October 2022, in the State and Federal District of Nevada, and elsewhere,

**RICHARD VAIRO,**

defendant herein, devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises.

7. The objective of the scheme and artifice was for defendant Vairo to obtain money and property from Company-1 and E.S. for his unauthorized personal use.

8. The manner and means by which defendant Vairo carried out the scheme included making and causing to be made false and fraudulent pretenses, representations, and promises to E.S. as follows:

a. Defendant Vairo represented that RBS supplied and was supplying sausage and another meat product (collectively referred to as "sausage") to Publix Supermarket in Florida;

b. Defendant Vairo represented that he wanted to borrow money from Company-1 to increase RBS's sausage sales to Publix and that he would repay Company-1 a percentage of the gross profits that RBS would receive from its sausage sales to Publix;

c. Defendant Vairo represented that he would use and was using the money he obtained from Company-1 to supply sausage to Publix; and,



1           d. Defendant Vairo represented that PNC Bank had frozen the funds in RBS's  
2 bank accounts, preventing RBS from timely repaying about \$1 million to Company-1 and E.S.

3           9. It was part of the scheme and artifice that defendant Vairo committed the  
4 following acts, among others:

5           a. In or about October 2021, defendant Vairo solicited money from E.S. to  
6 purportedly help RBS increase its sausage sales to Publix;

7           b. On or about October 25, 2021, defendant Vairo signed and caused E.S. to  
8 sign a Distribution Agreement, also known as a Letter of Intent ("Agreement"), representing  
9 that: (a) Company-1 would supply capital to RBS to allow it to increase its sausage sales to  
10 Publix; (b) Company-1 would receive a percentage of the gross profits that RBS would receive  
11 from its sausage sales to Publix; and (c) RBS would help Company-1 become RBS's exclusive  
12 distributor and vendor of record with Publix;

13           c. Beginning in or about October 2021, defendant Vairo caused Company-1  
14 and E.S. to begin wire transferring money to RBS;

15           d. Beginning in or about October 2021, defendant Vairo caused to be sent to  
16 E.S. weekly statements showing for each week covered by the statements the amount of sausage  
17 RBS would supply to Publix, the amount of money Company-1 and E.S. would need to provide  
18 to RBS, and the amount of money Company-1 and E.S. should expect to receive from RBS;

19           e. About a month after Company-1 and E.S. began sending money to RBS,  
20 defendant Vairo sent and caused to be sent to E.S. two fake invoices purportedly from Publix  
21 showing the amount of sausage that RBS had purportedly delivered to Publix and the balance  
22 due for the periods covered by the invoices;

23           f. A couple months later, defendant Vairo represented and caused to be  
24 represented to E.S. that RBS could not timely repay E.S. about \$1 million because PNC Bank



1 had placed a hold on the funds in RBS' bank accounts, and over the next several months  
2 defendant Vairo repeatedly represented and caused to be represented to E.S. that PNC Bank had  
3 not released RBS's funds;

4 g. Defendant Vairo, however, repaid other amounts owed to Company-1 and  
5 E.S. from money that he had received from Company-1 and E.S., falsely representing to E.S.  
6 that the repayments came from sausage sales to Publix;

7 h. Defendant Vairo used money received from Company-1 and E.S. to,  
8 among other things, support his lifestyle, pay his bills and debts, and conduct his business  
9 activities;

10 i. Throughout the scheme and artifice, defendant Vairo exchanged and  
11 caused to be exchanged with E.S. text messages, WhatsApp messages, and emails containing the  
12 false and fraudulent pretenses, representations, and promises described in this indictment,  
13 among others; and,

14 j. During the scheme and artifice, defendant Vairo caused Company-1 and  
15 E.S. to send approximately \$10,747,578.26 in approximately 29 wire transfers to defendant  
16 Vairo and RBS, and defendant Vairo repaid Company-1 and E.S. approximately \$6,859,957.39  
17 in approximately 17 wire transfers from the money that Company-1 and E.S. had sent to  
18 defendant Vairo, as if the repayments came from sausage sales to Publix, resulting in a net loss to  
19 Company-1 and E.S. of approximately \$3,887,620.

20 10. On or about the dates set forth below, in the State and Federal District of Nevada,  
21 and elsewhere, for the purpose of executing the scheme and artifice, defendant Vairo transmitted  
22 and caused to be transmitted by means of wire communication in interstate commerce, that is,  
23 the text message, WhatsApp messages, and wire transfers identified below, with each text  
24



message, WhatsApp message, and wire transfer constituting a separate violation of 18 U.S.C. § 1343.

COUNT	DATE	DESCRIPTION OF THE TEXT MESSAGE, WHATSAPP MESSAGES, AND WIRE TRANSFERS
1	10/22/2021	Defendant sent an interstate text message to Individual-2 in Nevada saying that he will provide the necessary support for E.S. to be registered as a Publix supplier.
2	6/16/2022	Individual-1 sent an interstate WhatsApp message to E.S. in Nevada asking him to deposit \$466,500.84
3	8/20/2022	Defendant sent an interstate WhatsApp message to E.S. in Nevada about purported performances issues he attributed to E.S.
4	10/25/2021	Wire transfer for approximately \$415,892.40 from Company-1's account at JP Morgan Chase Bank (ending in 1220) in Nevada to an RBS's account at PNC Bank in Florida
5	3/21/2022	Wire Transfer for approximately \$446,166.91 from defendant's account at Truist Bank to Company-1's account at JP Morgan Chase (ending in 1220) in Nevada
6	4/1/2022	Wire transfer for approximately \$699,831.00 from Company-1's account at JP Morgan Chase Bank (ending in 1220) in Nevada to an RBS's account at Citizen's Bank in Florida
7	7/8/2022	Wire transfer for approximately \$61,021.68 from Company-1's account at JP Morgan Chase Bank (ending in 1220) in Nevada to an RBS's account at Citizen's Bank in Florida
8	5/18/2022	Wire Transfer for approximately \$721,453.92 from defendant's account at Truist Bank to Company-1's account at JP Morgan Chase (ending in 1220) in Nevada
9	5/25/2022	Wire Transfer for approximately \$721,453.92 from defendant's account at Truist Bank to Company-1's account at JP Morgan Chase (ending in 1220) in Nevada.
10	6/15/2022	Wire Transfer for approximately \$471,771.90 from defendant's account at Truist Bank to Company-1's account at JP Morgan Chase (ending in 1220) in Nevada.



**FORFEITURE ALLEGATION ONE**  
**Wire Fraud**

11. The allegations contained paragraphs one through ten of this indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c).

12. Upon conviction of any of the felony offenses charged in counts one through ten of this indictment,

**RICHARD VAIRO,**

defendant herein, shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1343, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense:

- a. 2023 Ferrari Model 296 GTS, red in color, Vehicle Identification Number: ZFF01SMA5P0295815; and
- b. an in personam criminal forfeiture money judgment including, but not limited to, at least \$4,000,000

(all of which constitutes property).

13. If any property subject to forfeiture under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c), as a result of any act or omission of the defendant-

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;



1 it is the intent of the United States of America, under 21 U.S.C. § 853(p), to seek forfeiture of  
2 any other property of the defendant for the property listed above.

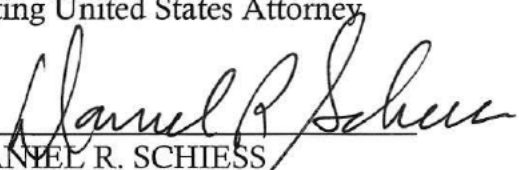
3 All under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 1343; and 21  
4 U.S.C. § 853(p).

5 DATED this 12<sup>th</sup> day of February, 2025.

6 A TRUE BILL.

7  
8 ~~FOREPERSON OF THE GRAND JURY~~

9  
10 SUE FAHAMI  
11 Acting United States Attorney

12   
13 DANIEL R. SCHIESS  
14 Assistant United States Attorney  
15  
16  
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1 it is the intent of the United States of America, under 21 U.S.C. § 853(p), to seek forfeiture of  
2 any other property of the defendant for the property listed above.

3 All under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 1343; and 21  
4 U.S.C. § 853(p).

5 **DATED** this 12<sup>th</sup> day of February, 2025.

6 **A TRUE BILL.**

7  
8 /S/  
9 FOREPERSON OF THE GRAND JURY

10 SUE FAHAMI  
11 Acting United States Attorney

12   
13 DANIEL R. SCHIESS  
14 Assistant United States Attorney



2 of 3

AO 442 (Rev. 01/09) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the  
District of NevadaREC'D USMS D/NV  
2025 FEB 12 PM 01:20

Our Case Number: 25-mj-6133-AOV

United States of America  
v.RICHARD VAIRO  
Defendant

Case No. 2:25-cr-0027-JUN-KJY

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) RICHARD VAIRO

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1343 ~ Wire Fraud

DEBRA K. KEMPI

CLERK



(By) DEPUTY CLERK



02/12/2025 Las Vegas, NV

DATE

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title



**This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.**

*(Not for Public Disclosure)*

Name of defendant/offender: RICHARD VAIRO

Known aliases: Richard Vairo Santos

Last known residence: \_\_\_\_\_

Prior addresses to which defendant/offender may still have ties: \_\_\_\_\_

Last known employment: Richard's Brazilian Sausage

Last known telephone numbers: 786-609-3554

Place of birth: Brazil

Date of birth: \_\_\_\_\_

Social Security number: \_\_\_\_\_

Height: 5'11"

Weight: \_\_\_\_\_

Sex: M

Race: \_\_\_\_\_

Hair: Brown with gray

Eyes: Brown

Scars, tattoos, other distinguishing marks: \_\_\_\_\_

History of violence, weapons, drug use: No

Known family, friends, and other associates (name, relation, address, phone number): Lucianne Pires Ewerton Vairo, Louise Ewerton Vairo, Raphael Vairo

FBI number: \_\_\_\_\_

Complete description of auto: \_\_\_\_\_

Investigative agency and address: \_\_\_\_\_

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): \_\_\_\_\_

Date of last contact with pretrial services or probation officer (if applicable): \_\_\_\_\_